

Response to Non-Complaint Amendment dated February 14, 2005
10/071,490 (60019660-0021)
Page 2

IN THE CLAIMS

1-55. (Cancelled)

56. (Original) A composition for promoting the growth and strengthening of bone comprising a mixture of hyaluronic acid, cancellous bone, and demineralized bone matrix.

57. (Currently Amended) A method of inducing bone formation in a vertebrate comprising applying a composition ~~selected from the group consisting of the compositions of claims 1-56~~ as set forth in claim 56 to a site in the vertebrate where bone formation is desired.

58. (Original) The method of claim 57, wherein the site is the junction of an allograft or autograft and a bone.

59. (Original) The method of claim 57, wherein the site is the junction of a bone and a bone prosthesis.

60. (Original) The method of claim 57, wherein the site is a fracture.

61-64. (Cancelled)

65. (Previously Presented) A composition as set forth in claim 56 wherein the cancellous bone is present at 10-50% (w/w).

66. (Previously Presented) A composition as set forth in claim 65 wherein the cancellous bone is milled to 0.1-1.5 mm in its longest diameter.

67. (Previously Presented) A composition as set forth in claim 56 wherein the hyaluronic acid is present at 10-80% (w/w), the cancellous bone is present at 10-40% (w/w), and the demineralized bone matrix is present at 5-30%.

Response to Non-Complaint Amendment dated February 14, 2005
10/071,490 (60019660-0021)
Page 3

68. (Previously Presented) A composition as set forth in claim 56 further comprising a compound selected from the group consisting of vascular endothelial growth factor, bone morphogenetic proteins, fibroblast growth factors, tumor necrosis factor, endothelial cell growth factors, platelet derived growth factors, transforming growth factors, placental growth factors, granulocyte colony-stimulating growth factors, insulin growth factors, interleukins, cytokines, antibiotics and vitamins.

69. (Previously Presented) A composition as set forth in claim 68 further comprising vascular endothelial growth factor.

70. (Previously Presented) A composition as set forth in claim 69 wherein the vascular endothelial growth factor is present at 10^{-6} to 30 mg/ml.

71. (Previously Presented) A composition as set forth in claim 65 further comprising a non-decalcified bone matrix present at 5-30%.

72. (Presently Amended) A method of inducing bone formation in a vertebrate comprising applying an effective amount of a composition comprising a mixture of hyaluronic acid, cancellous bone, and demineralized bone matrix wherein any bone-derived material included in the composition consists essentially of bone allograft material, to a site in the vertebrate where bone formation is desired.

73. (Previously Presented) A method of inducing bone formation in a vertebrate as set forth in claim 72 wherein the cancellous bone is present at 10-50% (w/w).

74. (Previously Presented) A method of inducing bone formation in a vertebrate as set forth in claim 72 wherein the hyaluronic acid is present at 10-80% (w/w), the cancellous bone is present at 10-40% (w/w), and the demineralized bone matrix is present at 5-30%.

Response to Non-Complaint Amendment dated February 14, 2005
10/071,490 (60019660-0021)
Page 4

75. (Previously Presented) A method of filling a bone defect comprising filling the bone defect with a composition comprising a mixture of hyaluronic acid, cancellous bone and demineralized bone.

76. (Previously Presented) A method of filling a bone defect as set forth in claim 75 wherein the bone defect comprises a spinal disc.

77. (New) A method of filling a bone defect as set forth in claim 75 wherein any bone-derived material included in the composition consists essentially of bone allograft material.

78. (New) The method of claim 77, wherein the site is the junction of an allograft or autograft and a bone.

79. (New) The method of claim 77, wherein the site is the junction of a bone and a bone prosthesis.

80. (New) The method of claim 77, wherein the site is a fracture.

81. (New) A method of inducing bone formation in a vertebrate as set forth in claim 72 wherein the cancellous bone is present at 10-50% (w/w).

82. (New) A method of inducing bone formation in a vertebrate as set forth in claim 72 wherein the hyaluronic acid is present at 10-80% (w/w), the cancellous bone is present at 10-40% (w/w), and the demineralized bone matrix is present at 5-30%.

83. (New) A composition comprising a mixture of hyaluronic acid, cancellous bone and demineralized bone matrix, wherein any bone-derived material included in the composition consists essentially of bone allograft material.

Response to Non-Complaint Amendment dated February 14, 2005
10/071,490 (60019660-0021)
Page 5

84. (New) A composition as set forth in claim 83 wherein the cancellous bone is present at 10-50% (w/w).

85. (New) A composition as set forth in claim 83 wherein the cancellous bone is milled to 0.1-1.5 mm in its longest diameter.

86. (New) A composition as set forth in claim 83 wherein the hyaluronic acid is present at 10-80% (w/w), the cancellous bone is present at 10-40% (w/w), and the demineralized bone matrix is present at 5-30%.

87. (New) A composition as set forth in claim 83 further comprising a compound selected from the group consisting of vascular endothelial growth factor, bone morphogenetic proteins, fibroblast growth factors, tumor necrosis factor, endothelial cell growth factors, platelet derived growth factors, transforming growth factors, placental growth factors, granulocyte colony-stimulating growth factors, insulin growth factors, interleukins, cytokines, antibiotics and vitamins.

88. (New) A composition as set forth in claim 87 further comprising vascular endothelial growth factor.

89. (New) A composition as set forth in claim 88 wherein the vascular endothelial growth factor is present at 10^{-6} to 30 mg/ml.

90. (New) A composition as set forth in claim 84 further comprising a non-decalcified bone matrix present at 5-30%.

91. (New) A composition for promoting the growth and strengthening of bone consisting essentially of a mixture of hyaluronic acid, cancellous bone, and demineralized bone matrix.

Response to Non-Complaint Amendment dated February 14, 2005
10/071,490 (60019660-0021)
Page 6

92. (New) A composition as set forth in claim 91 wherein the cancellous bone is present at 10-50% (w/w).

93. (New) A composition as set forth in claim 91 wherein the cancellous bone is milled to 0.1-1.5 mm in its longest diameter.

94. (New) A composition as set forth in claim 91 wherein the hyaluronbic acid is present at 10-80% (w/w), the cancellous bone is present at 10-40% (w/w), and the demineralized bone matrix is present at 5-30%.

95. (New) A composition for promoting the growth and strengthening of bone consisting essentially of a mixture of hyaluronic acid, cancellous bone, demineralized bone matrix, and a compound selected from the group consisting of vascular endothelial growth factor, bone morphogenetic proteins, fibroblast growth factors, tumor necrosis factor, endothelial cell growth factors, granulocyte colony-stimulating growth factors, insulin growth factors, interleukins, cytokines, antibiotics and vitamins.

96. (New) A composition as set forth in claim 95 further comprising vascular endothelial growth factor.

97. (New) A composition as set forth in claim 95 wherein any bone-derived material included in the composition consists essentially of bone allograft material.

98. (New) A method of inducing bone formation in a vertebrate comprising applying a composition as set forth in claim 91 to a site in the vertebrate where bone formation is desired.

99. (New) A The method of claim 98 wherein the cancellous bone contained in the composition is present at 10-50% (w/w).

Response to Non-Complaint Amendment dated February 14, 2005
10/071,490 (60019660-0021)
Page 7

100. (New) The method of claim 98 wherein the composition contains cancellous bone milled to 0.1-1.5 mm in its longest diameter.

101. (New) The method of claim 98 wherein the composition contains hyaluronbic acid present at 10-80% (w/w), cancellous bone present at 10-40% (w/w), and demineralized bone matrix present at 5-30%.

102. (New) A method of inducing bone formation in a vertebrate comprising applying a composition for promoting the growth and strengthening of bone consisting essentially of a mixture of hyaluronic acid, cancellous bone, demineralized bone matrix, and a compound selected from the group consisting of vascular endothelial growth factor, bone morphogenetic proteins, fibroblast growth facts, tumor necrosis factor, endothelial cell growth factors, granulocyte colony-stimulating growth factors, insulin growth factors, interleukins, cytokines, antibiotics and vitamins.

103. (New) The method of claim 98 wherein any bone-derived material included in the composition consists essentially of bone allograft material.